

UNCLASSIFIED		RESTRICTED		CONFIDENTIAL		SECRET	
(SENDER WILL CIRCLE CLASSIFICATION TOP AND BOTTOM)							
CENTRAL INTELLIGENCE AGENCY OFFICIAL ROUTING SLIP							
0-3765							
TO				INITIALS		DATE	
1	Asst. Director for Operations			SGL		28 Mar 49	
2	General Counsel			LPH		29 Mar 49	
3	Director, Central Intelligence			RHH		30 Mar 49	
4							
5							
FROM				INITIALS		DATE	
1	Chief, FBIB			JAW		3/25/49	
2							
3							
<div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> 1,2,3 APPROVAL <input type="checkbox"/> ACTION <input type="checkbox"/> COMMENT <input type="checkbox"/> CONCURRENCE </div> <div> <input type="checkbox"/> INFORMATION <input type="checkbox"/> DIRECT REPLY <input type="checkbox"/> PREPARATION OF REPLY <input type="checkbox"/> RECOMMENDATION </div> <div> <input type="checkbox"/> SIGNATURE <input checked="" type="checkbox"/> RETURN to FBIB <input type="checkbox"/> for dispatch <input type="checkbox"/> DISPATCH <input type="checkbox"/> FILE </div> </div> <p style="margin-top: 10px;">REMARKS: ① Approved - SGL. ② approved - LPH ③ approved RHH</p>							
SECRET <u>CONFIDENTIAL</u> RESTRICTED UNCLASSIFIED							

1. **ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED**
2130 E Street, NE
Washington 25, D.C.

31 March 1949

Mr. Malcolm A. Frost
Head, EMC Monitoring Service
Caversham Park
Reading, England

Reference: a. Letter dated 3 February 1949, Frost to
White (copyright, libel, etc.)

b. Message dated 3 March 1949, White to Frost

Dear Malcolm:

Our General Counsel has just discussed the above references together with the general problems of legal liability of EMC and FMS employees with me. He plans to present some of the problems involved to the Attorney General for an opinion after I have supplied him with a memorandum outlining exactly what information is disseminated by FMS employees in England either to EMC, the American Embassy, or to other public agencies, individuals, or private news agencies, and what specific directives are given to FMS employees concerning such dissemination.

Our General Counsel supports your view that our liability in England would depend on whether the Secretary of State for Foreign Affairs would, in the event of any action, certify that FMS employees enjoyed sovereign immunity. After consultation with the Legal Adviser to the Department of State, he also considers it advisable to accept your offer to approach the Foreign Office on our behalf to ascertain what their attitude would be in these circumstances before any approach is made through State Department channels. Accordingly, I would be most grateful if you could do this for us and advise.

Thanks very much in advance for your courtesy.

Sincerely,

L. E. White

OO:FB:LKW:mg
Distribution:

DCI - 1

General Counsel - 1

OS - 2

Central Files - 1